



Express Mail Label No.: EV292561115US
Date of Deposit: September 12, 2003

ATTORNEY DOCKET NO: C0698.70138US00 (97046CIPDIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Constantino et al.
Serial No: 09/864,817
Confirmation No: 3443
Filed: May 24, 2001
For: DISPERSIBLE, METAL OXIDE-COATED, BARIUM
TITANATE MATERIALS
Examiner: Tsoy, Elena
Art Unit: 1762

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The references are complete English language translations of Japanese patent applications that had been submitted in the IDS mailed by the Applicant on November 14, 2002. Previously, English language abstracts of these Japanese patent applications had been submitted.

736224

Match and Return

The references were cited in an Office Action (mailed on March 4, 2003) received in a related Japanese patent application (Japanese Patent Application Number 10-535961). The references had also been cited in this related Japanese patent application in an Office Action (dated June 24, 2002) which had been previously submitted (along with the English language abstracts of these references) in the IDS mailed November 14, 2002 by the Applicant.

Applicant is enclosing a copy of the Office Action (mailed on March 4, 2003) and a copy of the claims that were pending in the Japanese patent application at the time of the Office Action.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Constantino et al., *Applicants*

By: 

Robert H. Walat, Reg. No. 46,324
Timothy J. Oyer, Ph.D., Reg. No. 36,628
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

x09/12/03x